

Connie Diaz

From: Elizabeth Fishel
Sent: Friday, July 17, 2020 10:27 AM
To: Witte, Lance; Dana Shaffer; Charles Mathias; Donald Stockdale; John Schauble; Blaise Scinto; Paul Malmud; Peter Daronco; Erin Fitzgerald; Nadja SodosWallace; Stephen Buenzow (CTR); Susan Mickley; Sommer Gilbert; Connie Diaz; Cecilia Sulhoff
Subject: STA Grant - The Lower Brule Sioux Tribe
Attachments: Lower Brule Sioux Tribe - STA App.pdf; DA 20-463.pdf

Good morning,

Shown below is The Lower Brule Sioux Tribe's granted emergency Special Temporary Authorization (STA).

Elizabeth (Beth) Fishel

The Lower Brule Sioux Tribe's request for emergency Special Temporary Authority (STA) to operate on unassigned 2.5 GHz spectrum, formerly Educational Broadband Service spectrum for a period of 60-days is granted via this e-mail. The Lower Brule Sioux Tribe will be using this spectrum to provide relief during the state of emergency caused by the spread of the coronavirus throughout the United States.

The Lower Brule Sioux Tribe may use New Channel 1 (2502.0-2551.5 MHz), New Channel 2 (2551.5-2602.0 MHz) and New Channel 3 (2615-2616 MHz and 2673.5-2690 MHz) to transmit from sites located at the following coordinates: 44-04-27 N., 99-35-26 W; and 44-04-15 N., 99-38-12 W. This STA will also authorize operation on those same frequencies of fixed and mobile customer equipment located on the Lower Brule Reservation used in association with the transmitter sites listed above. This STA is authorized on a secondary, non-interference basis. Operation under this STA must be consistent with the technical rules applicable to this spectrum. The Lower Brule Sioux Tribe must cease operating at the expiration of this STA. In addition, the Lower Brule Sioux Tribe must cease operating on these frequencies if such use causes harmful interference to any existing licensees. This STA does not authorize operation with the Geographic Service Area of EBS Station WNC767 on the frequencies for which Station WNC767 is licensed. Any structure utilized to operate pursuant to this STA must comply with the height limitations specified in Section 17.7 of the Commission's rules or must be registered with the FAA.

The Lower Brule Sioux Tribe must file an STA application for Special Temporary Authorization to continue its operations within 10 days of today's date (July 17, 2020). The STA application should be filed in the Commission's Electronic Comment Filing System (ECFS) as a Non-Docketed Filing in the FCC Inbox for 1.931 Market-based STAs, pursuant to the process described in the attachment to DA 20-463, a copy of which is attached to this email. In addition, a courtesy copy of the STA application should be emailed to the FCC staff members copied on this email. If you have any questions about the filing process, please contact Paul Malmud of the Broadband Division at Paul.Malmud@fcc.gov.

In granting this STA, the Wireless Telecommunications Bureau is relying on our understanding that The Lower Brule Sioux Tribe is ready to begin operations promptly. Grant of this STA does not prejudice or impact the rights of any eligible entity to apply for unassigned EBS spectrum on the Lower Brule Reservation pursuant to the 2.5 GHz Rural Tribal Priority Window that is currently open, nor does it infer any rights to the Lower Brule Sioux Tribe with regard to such Priority Window.

From: Witte, Lance <Lance.Witte@k12.sd.us>
Sent: Thursday, July 16, 2020 10:29 AM
To: Elizabeth Fishel <Elizabeth.Fishel@fcc.gov>
Cc: Paul Malmud <Paul.Malmud@fcc.gov>; John Schauble <John.Schauble@fcc.gov>
Subject: RE: STA

Dear Ms. Fishel,

Attached is a letter from the Lower Brule Sioux Tribe and signed by Chairman Boyd Gourneau for STA application.

Thank you for your consideration,

Lance L. Witte

Lance L. Witte Consulting L.L.C.

Superintendent – Lower Brule Schools

Associate – The Cambrian Group

301 S. Courtland, Chamberlain, SD 57325

Phone: 605-461-8586

Email: Lance.Witte@k12.sd.us – Lance.Witte@lowerbruleschools.org - lwitteconsulting@gmail.com

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Boyd I. Gourneau
Chairman



Tribal Administration
187 Oyate Circle
Lower Brule, SD 57548
Phone: (605) 473-5561
Fax: (605) 473-5554

July 15th, 2020

Ms. Beth Fischel,
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Request for Emergency Special Temporary Authority

Dear Ms. Fischel:

The Lower Brule Sioux Tribe would like to request a 60-day special temporary authorization to use 2.5 GHz spectrum. The Tribe has applied for a 2.5 GHz spectrum license. Due to COVID 19, we are preparing for the reality that students will be out of the building this fall at some point during the school year. We would plan for the project to start ASAP to connect approximately 40 homes to the Tribe's network. With the use of this network due to COVID -19 we see the following advantages:

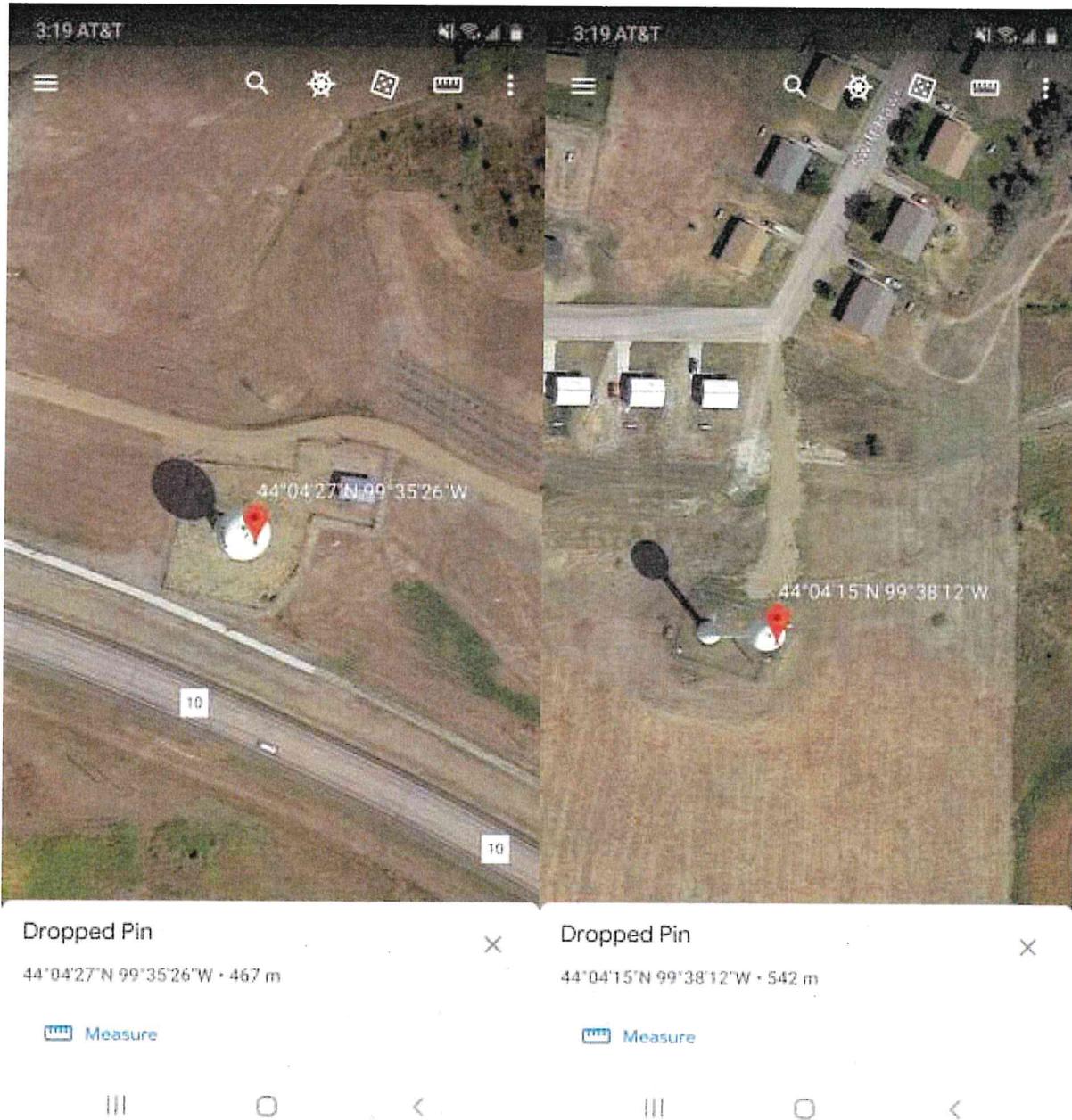
- Students will be able to take their classes remotely while staying safe at their homes.
- Faculty and Staff can access their internet, allowing them to shelter in place if necessary.
- This spectrum is an essential component of the tribal technology strategy to keep nearly 1,600 community members informed of mitigation, community support and precautionary activity and community announcements related to COVID-19.
- We anticipate all educational services will be on-line or via alternative methods. Unfortunately, approximately 80% students do not have access to WIFI except by the 2.5 GHz network.

No one is being charged for access to the network. Connected homes have no caps. If the permanent license is granted the Tribe hopes to provide connectivity to all tribal members.

- The Lower Brule Sioux Tribe would be apply of use of the following:
- New Channel 1 (2502-2551.5 MHZ)
- New Channel 2 (2551.5-2602 MHZ)
- New Channel 3 (2615-2616 MHZ and 2673.5-2690 MHZ)

The Lower Brule Sioux Tribe will not operate on the frequencies licensed to existing EBS station WNC767 within the area where that station is licensed.

For the STA-Pilot, the Lower Brule Sioux Tribe is planning to operate a two base stations under the STA, below are the coordinates of the stations:



The Lower Brule Sioux Tribe will be operating equipment for our tribal members in conjunction with the base stations.

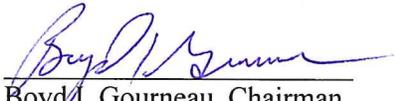
The Lower Brule Sioux Tribe has purchased and is ready to begin implementation immediately. The Tribe understands and will comply with the service rules that apply to the 2.5 GHz band.

The Lower Brule Sioux Tribe understands that operation under the STA is on a secondary, non-interference basis, that an STA is temporary, and the Tribe will cease operation of the STA at the expiration date.

The Lower Brule Sioux Tribe understands that an agreement that grants the STA provides no rights to the spectrum in the Tribal Priority Window.

The Lower Brule Sioux Tribe understands that this STA extension has no bearing on future permanent licenses for the spectrum in the 2.5 GHz band. All conditions that currently apply to the STA will continue to apply.

Thank you for your consideration,



Boyd I. Gourneau, Chairman
Lower Brule Sioux Tribe

cc:

John Schauble
Paul Malmud



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-463
Released: April 29, 2020

ELECTRONIC FILING NOW AVAILABLE FOR ALL LICENSE APPLICATIONS IN THE WIRELESS RADIO SERVICES

Mandatory Electronic Filing Will Be Enforced as of July 28, 2020

By this Public Notice, the Wireless Telecommunications Bureau (WTB) announces 100% electronic filing capability for license applications in the Wireless Radio Services. The Bureau's Universal Licensing System (ULS) currently provides licensees and applicants electronic filing capability for the vast majority of applications in the Wireless Radio Services. There are a few limited categories of submissions that ULS has not been able to accept electronically, and until today, these had to be filed manually. These categories are: (1) Special Temporary Authority (STA) applications in certain market-based services, (2) sublease applications, and (3) multi-step transactions.

In an effort to provide a complete electronic filing solution to licensees and applicants, particularly considering the current pandemic due to COVID-19, WTB announces an ECFS non-docketed filing solution exclusively for the limited categories of applications referenced above. Instructions for how to complete non-docketed ECFS filings for this limited class of filings are attached to this Public Notice.¹

Applicants may begin using ECFS to file their applications electronically effective **April 29, 2020**. A courtesy copy of any application(s) with an urgent filing deadline may be sent to ULScc@fcc.gov. The ECFS solution will become mandatory for filers on **July 28, 2020**, and any manually filed applications delivered after 4 p.m. on **July 27, 2020** will be dismissed without prejudice. This creates a 90-day transition period, which we believe provides sufficient time to allow users to adjust to this new requirement and to familiarize themselves with the ECFS filing system.

Mandatory Electronic Filing. Section 1.913(b) requires electronic filing of all applications in the Wireless Radio Services (with limited exceptions).² Because ULS was previously unable to accept some limited categories of filings electronically, WTB routinely waived the electronic filing requirement for market-based STAs, sub-leases, and multi-step transactions. Now that electronic filing is available for these remaining categories, WTB will begin strictly enforcing the electronic filing requirement for them as of July 28, 2020. We waive the signature requirement of section 1.917(d) to the extent necessary to allow filing as described herein.³

For questions regarding this Public Notice, please contact Keith Harper, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2759; Keith.Harper@fcc.gov, or Paul Malmud, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0006; Paul.Malmud@fcc.gov.

¹ In addition, WTB observes that non-licensees often seek waivers of rules in the Wireless Radio Services, and we provide a tailored ECFS filing capability for those requests as well to eliminate the need for paper filings.

² Similarly, section 1.931 requires electronic filing of special temporary authority applications. 47 C.F.R. §§ 1.913, 1.931.

³ 47 C.F.R. § 1.917(d).

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